

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 14364US13)**

PATENT

In the Application of:

Joseph J. Kubler, et al.

Serial No.: 10/783,888

Filed: February 20, 2004

For: HIERARCHICAL DATA
COLLECTION NETWORK
SUPPORTING PACKETIZED
VOICE COMMUNICATIONS
AMONG WIRELESS TERMINALS
AND TELEPHONES

Electronically filed on

June 19, 2009.

Examiner: AFSHAR, KAMRAN

Group Art Unit: 2617

Confirmation No.: 6967

Customer No.: 23446

**REQUEST FOR RECONSIDERATION OF
INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to a request made by Examiner Kamran Afshar during a telephone call with the undersigned on June 11, 2009, Applicants hereby respectfully submit the accompanying PTO/SB/08 form consisting of one page that lists seven references previously submitted to the Office in the above-identified application (the "Application"). Copies of the seven listed references are hereby resubmitted in the Application.

A copy of USPTO form PTO/SB/08A filed by Applicants on October 20, 2008 and considered by the Examiner on March 31, 2009 accompanied the Notice of Allowance mailed April 3, 2009. A notation on page 1 at cite no. "A20" (U.S. Patent Application NO. 08/493,480 to "Angle") states "[p]rovisional application should not be under patent document." Applicants respectfully submit that U.S. Patent Application No. 08/493,480 is not a provisional application. At the suggestion of Examiner Afshar, Applicants have listed U.S. Patent Application No. 08/493,480 on the accompanying PTO/SB/08A in the section labeled "Non Patent Literature Documents." A copy of U.S. Patent Application No. 08/493,480 is hereby resubmitted for reconsideration by the Office.

Applicants respectfully note that USPTO Form PTO/SB/08 filed by Applicants on August 23, 2007 and considered by the Examiner on October 20, 2008 shows three references at cite nos. "C23", "C25", and "C26" as lined through and therefore as not considered by the Examiner. At the suggestion of the Examiner, the Applicants hereby resubmit copies of the three references for reconsideration, which were previously submitted with the PTO/SB/08A filed August 23, 2007. These three resubmitted references are listed in the section of the accompanying PTO/SB/08A form labeled "Non Patent Literature Documents". Applicants respectfully note that the copies of these three references submitted to the Office on August 23, 2007 as cite nos. "C23", "C25", and "C26", available in the records of the Office, show dates of February 17, 2006; September 5, 2006; and January 31, 2007, respectively, at the signature block on the last page of each reference. Applicants hereby resubmit copies of the three references originally identified on the Form PTO/SB/08A filed August 23, 2007 as "C23", "C25", and "C26", for reconsideration.

Applicants respectfully note that USPTO Form PTO/SB/08 filed by Applicants on August 23, 2007 and considered by the Examiner on October 20, 2008 also shows a reference identified as cite no. "B4" and two references identified as cite nos. "C27" and "C28". Applicants respectfully note that all other references shown on the USPTO Form PTO/SB/08A filed August 23, 2007 and considered by the Examiner on October 20, 2008 have either been "lined through" to signify that they have not been considered, or have been marked with "/K.A./" to signify that they have been considered, creating ambiguity as

to whether the unmarked entries were, in fact, considered. At the recommendation of Examiner Afshar, the accompanying USPTO Form PTO/SB/08A lists in appropriate sections these three references that were previously submitted to the Office. Applicants hereby resubmit the accompanying copies of the three references identified as "B4", "C27", and "C28" on the Form PTO/SB/08A originally submitted August 23, 2007, for reconsideration.

This electronic submission includes a completed USPTO Form PTO/SB/08A which has one page listing the seven references discussed above. Also as noted above, copies of the seven references listed on the accompanying USPTO Form PTO/SB/08A were previously submitted by the Applicants in the Application, and are hereby resubmitted for reconsideration.

This submission is in no way intended as an admission that the submitted references constitute prior art under any subsection of 35 U.S.C. §102 or §103. Applicants expressly retain the right to argue that any of the cited references are not indeed prior art or to take any actions necessary to remove any of the cited references from the available prior art.

The Examiner is requested to initial the attached USPTO Form PTO/SB/08A and return one copy to the Applicants to indicate consideration of the listed references.

No fee is believed to be due because:

- * The Applicants believe that the listed references were previously submitted to the Office in the Application, and that this submission merely resubmits the listed reference to complete and clarify the record.

The Commissioner is hereby authorized to charge any fees required by this submission, or to credit any overpayment, to Deposit Account No. 13-0017.

Respectfully submitted,

Date: June 19, 2009
McAndrews, Held & Malloy, Ltd.
500 West Madison Street, 34th Floor
Chicago, Illinois 60661
312 775 8000

/Kevin E. Borg/
Kevin E. Borg
Reg. No. 51,486